

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NICHOLE MARIE HILL,

Defendant.

CR 16-31-M-DLC

ORDER

United States Magistrate Judge Jeremiah C. Lynch entered Findings and Recommendation in this matter on October 26, 2016. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). This Court will review the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).


Judge Lynch recommended this Court accept Nichole Marie Hill’s guilty plea after Hill appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to one count of social security fraud in

in violation of 42 U.S.C. § 1383a(a)(3) as set forth in Count IV of the Indictment. In exchange for Defendant's plea, the United States has agreed to dismiss Counts I, II, III, and V of the Indictment.

I find no clear error in Judge Lynch's Findings and Recommendation (Doc. 23), and I adopt them in full, including the recommendation to defer acceptance of the Plea Agreement until sentencing when the Court will have reviewed the Plea Agreement and Presentence Investigation Report.

Accordingly, IT IS ORDERED that Nichole Marie Hill's motion to change plea (Doc. 16) is GRANTED and Nichole Marie Hill is adjudged guilty as charged in the Indictment.

DATED this 10th day of November, 2016.



Dana L. Christensen, Chief District Judge
United States District Court